REMARKS

The non-final Office Action mailed May 28, 2008 and reference cited therein have been reviewed. Applicant has, by this Amendment, canceled claims 27-28, amended claims 1, 5-8, 10, 14, 19, and 30, and added new claims 35-42.

The Examiner objected to claims 5, 10, 14, and 19 for ineluding grammatical errors. Applicant has amended claims 1, 5, 10, 14, and 19 to correct these errors.

The Examiner objected to claim 32 as being of improper dependent form. Claim 31 was rejected as being a duplicate claim of claim 27. Applicant has canceled claims 27 and 28 and amended claims 30 and 33 to address these claim rejections.

THE SECTION 112 REJECTION

Claims 1, 5-9 and 19-34 were rejected under 35 U.S.C. §112(2) as being indefinite. The Examiner stated that is was unclear from the claims whether the gas-filled spring and/or machine tool was being claimed in combination with the flanged connection. Applicant has amended the claims to clarify that the invention is only directed to a flanged connection and method for using a flanged connection. The gas-filled spring and machine tool are only identified in the claims as articles that are intended to be used with the novel flanged connection of the present invention.

THE SECTION 102 REJECTION

Claims 1, 5-9 and 19-34 were rejected under 35 USC §102(b) as being anticipated by Sato. Independent claims 1 and 19 have been amended to include limitations on the structure of the fixing element and the function of the fixing element in combination with the locking ring and the two flange halves. A fixing element that includes an inclined surface that engages one of the flange halves and the direction of movement of the fixing element when the flange halves are secured

together is not disclosed in the arrangement set forth in Sato.

Sato discloses a tube joint used to join two tubes together. The fixing element designated by the Examiner is spacer ring 28 in Sato. Spacer ring 28 does not include an inclined section that is designed to engage an inclined surface of a tube 12 or pushing ring 13, which inclined surface causes the spacer ring to move toward tube 11 and to cause the spacer ring to also move toward tube 11. The sloped underside surface of tube 12 causes the packing material 25 to press against and engage tube 11, The pushing ring pushes the packing material into tube 12, but does not push the packing material into tube 11. Spacer ring does not have the same or equivalent structures as defined for the fixing elements in independent claims 1 and 19. For at least these reasons, Sato does not anticipate or make obvious the flanged connection defined in the claims. In addition, Sato does not disclose, teach or suggest the limitations defined in dependent claims 5, 6, and 35-38. For at least these additional reasons, such dependent claims are not anticipated or made obvious by the teachings of Sato.

THE SECTION 103 REJECTION

Claims 10 and 14-18 were rejected under 35 USC §103(a) as being unpatentable over the Admitted Prior Art (APA in view of Sato). Claim 10 has also been amended to include limitations on the structure of the fixing element and the function of the fixing element in combination with the locking ring and the two flange halves. As with independent claims 1 and 19 discussed above, Sato does not disclose, teach or suggest the structure and function of the fixing element defined in claim 10. The APA also is absent teachings regarding the fixing element defined in claim 10. For at least these reasons, the APA in combination with Sato do not make obvious independent claim 10 and all of the claims dependent therefrom.

Applicant submits that all the pending claims are allowable over the cited art of record.

Respectfully submitted,

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